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EXAMINER

LUONG, ALAN H

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte KAI-CHIEH LIANG

Appeal 2009-008206
Application 10/670,949
Technology Center 2600

Before JOSEPH F. RUGGIERO, ALLEN R. MacDONALD and
CARLA M. KRIVAK, *Administrative Patent Judges*.

MacDONALD, *Administrative Patent Judge*.

DECISION ON APPEAL¹

¹ The two-month time period for filing an appeal or commencing a civil action, as recited in 37 C.F.R. § 1.304, or for filing a request for rehearing, as recited in 37 C.F.R. § 41.52, begins to run from the “MAIL DATE” (paper delivery mode) or the “NOTIFICATION DATE” (electronic delivery mode) shown on the PTOL-90A cover letter attached to this decision.

STATEMENT OF CASE

Introduction

Appellant appeals under 35 U.S.C. § 134 from a final rejection of claims 1, 6-15, 20-26, 31-40, and 45-50. Claims 2-5, 16-19, 27-30, and 41-44 have been canceled. We have jurisdiction under 35 U.S.C. § 6(b). We reverse.

Exemplary Claim(s)

Exemplary independent claim 1 under appeal reads as follows (with emphases added):

1. A uniform resource indicator (URI) pointer method for the retrieving Moving Picture Experts Group 4 (MPEG-4) data pointers in a Moving Picture Experts Group 2 (MPEG-2) transport stream (TS), the method comprising:

receiving an MPEG-2 TS embedded with MPEG-4 resources organized in Object Carousel (OC) transport protocol;

locating a URI in the TS using *a local identifier (lid)* retrieved from the MPEG-2 TS;

retrieving MPEG-4 resources from the MPEG-2 TS using lid URIs to provide a binding name and access scheme to the objects in the OC; and,

decoding the MPEG-4 resources.

Rejections

1. The Examiner rejected claims 1 and 6-14 as being unpatentable under 35 U.S.C. § 103(a) over the combination of Appellant's Admitted Prior Art (Spec. 2:1-6:2; *and see* Liang US 2005/0081143 A1, ¶¶ [0006]-[0025]) (hereinafter, "AAPA"); Carston Herpel, *Elementary Stream*

Management in MPEG-4, IEEE TRANSACTIONS ON CIRCUITS AND SYSTEMS FOR VIDEO TECHNOLOGY, VOL. 9, No. 2, pp. 315-24, March 1999 (hereinafter, “Herpel”); and Waki, EP 1 045 564 A1.

2. The Examiner rejected dependent claims 15 and 20-39 as being unpatentable under 35 U.S.C. § 103(a) over combination of AAPA; Herpel; Waki; and Yokomizo, US 2002/0124263 A1.

3. The Examiner rejected dependent claims 40 and 46-50 as being unpatentable under 35 U.S.C. § 103(a) over combination of AAPA; Yokomizo; and Ito, US 6,377,309 B1.

Appellant's Contentions

Appellant asserts (App. Br. 10) that a local identifier Universal Resource Indicator (lid URI) is defined in the Specification in accordance with SMPTE 343M-2002 (*see* Spec. 26:16-22).

Appellant contends (App. Br. 11-13, 16, and 19-22; Reply Br. 4) that the Examiner erred in rejecting claims 1, 6-15, 20-26, 31-40, and 45-50 because none of the applied references to AAPA, Herpel, Waki, Yokomizo, or Ito teach, disclose, or suggest the limitations of using a local identifier (lid) to access MPEG-4 resources in an MPEG-2 transport stream (TS) by using a lid URI to provide a binding name and access scheme to objects in an Object Carousel (OC). Appellant also contends that no combination of the applied references teaches, discloses, or suggests such a lid URI feature, nor is such a lid URI feature well-known (App. Br. 17, 20, and 22; Reply Br. 4).

Appellant contends that Herpel describes addressing resources using URLs (Universal Resource Locators) instead of lid URIs (Reply Br. 3).

Issue on Appeal

Whether the Examiner has erred in rejecting claims 1, 6-15, 20-26, 31-40, and 45-50 as being obvious because AAPA, Herpel, Waki, Yokomizo, and/or Ito, individually or in combination, fail to teach or suggest the lid URI claim limitations at issue?

ANALYSIS

We agree with the Appellant's contentions above.

The terms "lid," "URI," and "lid URI" are defined and described in Appellant's Specification as follows:

The address access unit 206 may locate different kind of URIs, to sources such as a local cache address, a Web protocol identifier, such as ftp or http, and/or a local identifier (lid). URIs can be used to identify various points of content, such as a page of text, a video or sound clip, a still or animated image, or a particular a MPEG-4 resource. The most common form of URI is the Web page address (e.g. [,] an http address), which is a particular form or subset of URI called a Uniform Resource Locator (URL). In this invention, we use a local identifier (lid) URI, which is defined in SMPTE 343M-2002, for referencing resources in a broadcast transport.

In some aspects, the address access unit 206 receives an MPEG-2 TS embedded with MPEG-4 resources. The AAU 206 uses lid URIs retrieved from the MPEG-2 TS to retrieve MPEG-4 resources from the MPEG-2 TS. More specifically, the MPEG-4 resources are organized in Object Carousel (OC) transport protocol.

Spec. 9:24-10:12.

In the following paragraphs, the use of a Universal (or Uniform) Resource Identifier (URI) is described, for the binding names of the U-U Objects. With an appropriate URI scheme and the U-U Object Carousels, a mechanism can be built for delivering MPEG-4 data in a MPEG-2 broadcasting network.

URI, as defined in RFC2396, is a simple, unified and extensible mechanism for identifying a resource. URI is a generic form (superset) of Universal Resource Locator (URL). It is not limited to the existing Internet protocols and can be expanded with new access technology. The ISO/IEC 13818-1 specification uses URL as an alternative, yet undefined, approach for referencing MPEG-4 data elements. This invention expands the URL concept to a more generic URI format for an access framework and broader scope of data reference.

A particular URI called Local Identifier (lid:) is used in this invention. The lid URI scheme, as defined in SMPTE 343M-2002, is designed for identifying resources, e.g. [,] HTML pages and graphics files, which are transmitted through unidirectional means such as television broadcast. By using the lid scheme in the invention, resources, such as MPEG-4 scenes and associated streams, are transmitted and identified in the unidirectional broadcasting channel. There is no need for a return channel to access the resources remotely such as over the Internet. When resolving a lid reference, the receiver may first look for the resource in cache (if cache is used in the receiver). If it is not found, the receiver can just report the resource is not available, or it can wait for the resource to appear in the broadcast stream. The receiver can time out and report the resource is not available, if the resource does not appear after some period of time.

Spec. 26:3-27:3.

We find that none of the references to Herpel (pp. 319-324), Waki (¶¶ [0017]-[0019], [0132], and [0136]-[0141]), and Yokomizo (Figs. 8A, 8B; ¶¶ [0115]-[0117]) disclose, teach, or suggest a lid URI or using a lid URI to address an OC.

The combinations of AAPA and the various secondary references to Herpel, Waki, Yokomizo, and/or Ito do not teach or suggest a lid URI used to locate a URI in an MPEG-2 TS, nor do these combinations teach or suggest using lid URIs to provide a binding name and access scheme to objects in an object carousel, as set forth in independent claims 1, 15, 26, and 40.²

CONCLUSIONS

(1) Appellant has established that the Examiner erred in rejecting claims 1, 6-15, 20-26, 31-40, and 45-50 as being unpatentable under 35 U.S.C. § 103(a).

(2) On this record, claims 1, 6-15, 20-26, 31-40, and 45-50 have not been shown to be unpatentable.

² The issue of whether it would have been obvious to combine the lid URI as described in the SMPTE Standard 343M-2002 (*see* Appellant's Evidence Appendix at App. Br. 34) with the disclosures of any of the various applied references is not before us, and accordingly, we make no determinations or conclusions in that regard.

Appeal 2009-008206
Application 10/670,949

DECISION

The Examiner's rejections of claims 1, 6-15, 20-26, 31-40, and 45-50
are reversed.

REVERSED

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